

**JUDGE BUCHWALD**  
AC 2 Rev. 1/01 Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

SCHIAVONE CONSTRUCTION CO.,  
AMERICAN BRIDGE COMPANY, a Joint Venture

SUMMONS IN A CIVIL ACTION

V.

THE CITY OF NEW YORK (Macombs Dam  
Bridge over the Harlem River)

CASE NUMBER:

**07 CIV 8389**

TO: (Name and address of Defendant)

City of New York  
c/o Corporation Counsel of the City of New York  
100 Church Street  
New York, New York 10007  
(212) 788-0303

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Vincent J. Torna  
101 E. 52nd Street, 21st Floor  
New York, New York 10022  
Tel: (212) 644-1192  
Fax: (212) 644-1020

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

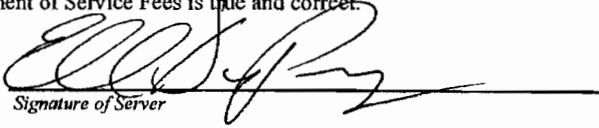
SEP 27 2007

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	9/28/07
NAME OF SERVER (PRINT) Elliot Dupre	TITLE	Para-Legal
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           NYC LAW DEPARTMENT            100 Church Street            NY NY 10007         </div> <div style="width: 45%;">           NYC Department of Transportation            40 Worth Street            NY NY 10007         </div> </div>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;">           Executed on <u>9/28/07</u>  <small>Date</small> </div> <div style="width: 30%; text-align: center;">   <small>Signature of Server</small> </div> <div style="width: 30%; text-align: center;"> <u>9332 204th A Hollis, NY 11423</u>  <small>Address of Server</small> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.